

SHOULD THE DEPARTMENT OF DEFENSE ESTABLISH A JOINT CORRECTIONS COMMAND

BY

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USAWC STRATEGY RESEARCH PROJECT

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COMMAND**

by

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ABSTRACT

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Following the combat victory in Iraq, the United States military was called upon to quickly transition to nation-building. As the American led coalition began this transition it faced many challenges, one in particular was rebuilding the Iraqi penal system. This transition from enemy prisoner of war operations to detainee operations and then ultimately to the establishment of a penal system was difficult because there was no centralized command and control element at the combatant command level. The military and the Coalition Provisional Authority's ability to establish a national penal system, conduct standardized training and effective prison operations to rebuild the Iraqi penal system were totally ineffective. This project examines the argument for the establishment of a Joint Corrections Command to better support current and future corrections operations in order to best meet our strategic goals.

SHOULD THE DEPARTMENT OF DEFENSE ESTABLISH A JOINT CORRECTIONS COMMAND

Soldiers performing corrections duties provide a unique skill set contributing to required capabilities to shape the security environment, sustain land dominance, support to civil authorities and the military will continue to require an expeditionary capability to confine high risk detainees for long periods of time.

—Lt. Gen. Dick Cody
Army G-5 (12 March 2003)

The military correctional system was established by Congress in 1873 and continues today¹. Military corrections mirrors the civilian penal system in that it provides for the pretrial and post-trial confinement of U.S. service members. Over the years this system has been reviewed several times looking for efficiencies and improvements to the system. In 1970 the Secretary of the Army appointed a committee to conduct a comprehensive analysis and evaluation of the U.S. Army confinement facilities and practices.² Six civilian law enforcement and corrections professionals from around the United States participated in this landmark study. The study derived two major conclusions. One was that the installation stockade operations were hampered by serious personnel shortfalls in training and experience and too many personnel were detailed to temporary duty at the facilities and there was not a Military Occupational Specialty (MOS) for corrections specialists. The second was that very few civilians were being used in fields such as education, social work and counseling at level two and three facilities. As a result of this study, the committee made thirty-five recommendations with most centering on the centralized administration of the facilities and the training of personnel. Specifically, it recommended that personnel assigned to stockade duty be properly equipped in terms of training, experience, and maturity to work with prisoners. It also recommended that civilians be employed in the operations

of stockades to provide for greater continuity in the operations of stockades.³ Today the stockades are gone and have been replaced by Regional Correctional Facilities (RCF). There have been civilian personnel hired to support the operations of the facilities but that is all that has been implemented from the study's recommendations.

The last major review by the Department of Defense was in 1989. The results of this Secretary of Defense directed review was a minor consolidation of corrections under the Department of Defense rather than each service handling the corrections mission internally. The recommendation that was approved designated the U.S. Army as the Department of Defense Executive Agency for long term prisoners and left all other aspects of corrections to the Secretaries of the Military Departments.⁴ This first step toward consolidation remains in effect with the various Interservice Support Agreements. However, today each service continues to man, fund, and operate facilities around the world. The U.S. Army operates the United States Disciplinary Barracks, the only long term confinement facility for the Department of Defense at Fort Leavenworth, Kansas. This is also the facility that holds all inmates serving death sentences. The only exception is the long term confinement of females, who are confined at the U.S. Navy Brig in Miramar, California.⁵

Current Department of Defense policy states that corrections shall promote uniformity in and among the Military Services and directs each Military Department to issue regulations and administer military corrections on behalf of its service. The policy further directs the services to coordinate reductions, closure, or redesignation of any correctional facility regularly used to confine inmates from more than one service with each sister service and the Department of Defense.⁶ As recent as 2005, another review

made recommendations for consolidation of military corrections at the Department of Defense level. The 2005 Defense Base Realignment and Closure (BRAC) recommended consolidating Service correctional facilities into five regional facilities and contemplated consolidating the management into one joint service corrections system.⁷ The 2005 BRAC did not address the consolidation of headquarters, training, or joint doctrine. It simply recommended efficient use of facilities throughout the United States.

This paper examines the argument for greater consolidation of the military correctional system at the Department of Defense level, consolidating all the services into a true joint operation. This consolidation should include a joint headquarters to establish policy and oversee every aspect of military corrections and detention operations.

State of Military Corrections Today

The U.S. Army remains the executive agent for long term confinement which is defined as sentences longer than 7 years. All other military corrections aspects are managed by each service. Today a Department of Defense Corrections Council made up of each of the service's corrections directors and chairs of the respective clemency and parole boards, provide oversight and guidance to the services in support of confinement operations⁸.

The military corrections system is organized into three levels of confinement. Level one is the lowest level and confines pretrial and post-trial inmates with sentences of up to a year. These facilities have limited programs and are more like local jails. The U.S. Navy has seven level one facilities, the U.S. Marines operate two level one facilities, and the U.S. Air Force has twenty-nine level one facilities. The U.S. Army

does not operate a level one facility, but uses other service facilities or contracts with local jails for confinement of pretrial inmates and post-trial sentences of less than 30 days⁹. Level two is the next level and confines pretrial and post-trial inmates sentenced up to 7 years. At this level you see educational, vocational, and mental health programs for the inmates. The U.S. Navy has two level two facilities (Navy Brig, Charleston, South Carolina and Navy Brig, Miramar, California), the U.S. Marines operate two (Camp Lejeune, North Carolina and Camp Pendleton, California), the U.S. Army has three (Fort Sill, Oklahoma, Fort Knox, Kentucky, and Fort Lewis, Washington), and the U.S. Air Force has none¹⁰. The last and highest level is level three. The U.S. Army operates the only level three or maximum security facility in the entire system at Fort Leavenworth, Kansas. At Fort Leavenworth the United States Disciplinary Barracks confines all male inmates with a sentence longer than 7 years. Here national security related offenders, escape risks, and unmanageable offenders are confined. All female inmates from all services who have sentences longer than 7 years are confined at the Navy brig in Miramar, California. Additionally, the military operates twelve overseas facilities that are not classified in the three tiered system and only house pretrial and post-trial inmates awaiting transfer to a facility in the United States.¹¹

This service centric approach is also evident in the manning, training and doctrine of the services with respect to corrections. The U.S. Army and the U.S. Marine Corps remain the only services that have established a professionally trained cadre of correctional specialists with the additional mission to operate prisoner of war and detainee facilities. The U.S. Marine Corps has approximately twenty commissioned officers and 575 enlisted Marines performing corrections duty.¹² The U.S. Navy utilizes

mostly enlisted personnel on shore duty and the U.S. Air Force uses law enforcement service members to man their facilities.¹³ Training of these service personnel is also different in each service. The U.S. Army trains its basic correctional specialists at Fort Leonard Wood, Missouri for 7 weeks, and they also conduct Noncommissioned Officer Courses (basic and advanced) as part of the Noncommissioned Officer Education System.¹⁴ The U.S. Navy, U.S. Marine Corps and U.S. Air Force train their basic correctional specialist at Lackland Air Force Base, Texas for half as long, only three and a half weeks.¹⁵

This service centric approach is also reinforced by the duplication of headquarters functions by each service. The U.S. Army manages its corrections program from Washington, D.C. by the newly established Army Corrections Command. The U.S. Army established this command to consolidate corrections efforts under one headquarters rather than multiple Army commands¹⁶. The U.S. Navy manages its corrections program from the Bureau of Naval Personnel Corrections and Programs in Millington, Tennessee¹⁷. The U.S. Marines manage their program from the Law Enforcement and Corrections Branch within the Headquarters, United States Marine Corps in Washington, D.C. and the U.S. Air Force management and oversight is from the Headquarters, Air Force Security Center, Corrections Division at Lackland Air Force Base in San Antonio, Texas.¹⁸ The military services are currently operating fifty-eight facilities confining United States military prisoners, one U.S. operated facility confining enemy combatants at Guantanamo Bay Naval Base Cuba (GITMO), and two United States operated detention facilities in Iraq and one in Afghanistan detaining criminals and enemy combatants.

These four separate service headquarters oversee planning and the conduct of basic corrections training at two separate locations in Missouri and Texas. Manning fifty-eight confinement facilities plus the detention facility in Cuba and supporting operational requirements in support of combatant commanders is difficult when each service manages its program from multiple locations and utilizes different training standards and doctrine.¹⁹

Military Core Competencies

Today the military is a joint force fighting the Global War on Terror and it appears that this fight will continue for the foreseeable future. Ongoing stability operations and reconstruction in Iraq and Afghanistan reinforce this assertion. Stability operations are a core United States military mission that the Department of Defense must be prepared to support. Stability operations includes the task of rebuilding the host nation penal system and training host nation personnel to a professional level in support of stability operations to allow United States military forces to be quickly withdrawn after a lasting peace has been secured²⁰. This task is separate and apart from the mission to conduct enemy prisoner of war detention and confinement of U.S. military prisoners in a theater of operation. On going efforts to build host nation confinement capacity and capability in Iraq and Afghanistan coupled with the United States' operation of the detention facility in Guantanamo Bay, Cuba have created a huge burden on the United States' military confinement capability. The Chief of Staff of the Army, General Casey recognized this need and recently had a discussion that focused on "How our Military Police might be best postured to train indigenous police forces, conduct detainee operations and perform other law enforcement related functions while deployed."²¹

Support to the Combatant Commander

With the exception of the Joint Detention Operations Group in GITMO and the three facilities in Iraq and Afghanistan, these fifty-eight facilities support the senior commanders by confining U.S. military service members. However, the need for trained U.S. Military corrections specialists exists in support of the combatant commanders in their theaters of operations. Current operations in Iraq and Afghanistan along with past contingency operations in Panama, Bosnia, and Kosovo have escalated detention operations in both scale and complexity, especially in a counterinsurgency environment. A by-product of a prolonged insurgency with secular, criminal, terrorist, and insurgent organizations operating in an area is the significant increase in the number of individuals captured that must be detained. Detention Operations capabilities are not only a necessity in peacetime, but also during combat operations. Over time, this requirement has grown, but the capability to provide this function has not kept pace. Military corrections and detention operations have remained virtually unchanged and still lack a robust expeditionary detention capability across the services. The Army is the only service that has units formed and trained to deploy and detain significant numbers of personnel. The U.S. Navy and U.S. Air Force are only structured to operate facilities to detain U.S. service members.

Currently in Iraq, the United States Army operates two detention facilities manned with U.S. Army, U.S. Navy and U.S. Air Force service members and provides corrections expertise to train Iraqi corrections personnel to operate their own prisons. In April 2007, there were approximately 17,000 detainees in the two U.S. operated prisons and estimates have that number growing to 20,000 detainees by the end of 2007. Camp Bucca in southern Iraq had 13,800 detainees and Camp Cropper had 3,300 Iraqi

personnel confined outside of Baghdad. Another 34,000 detainees were being held in the Iraqi detention system throughout their country. The average length of confinement was about one year, but 8,000 detainees have been held longer.²²

As with any country without infrastructure or the rule of law such as Afghanistan, Kosovo, Bosnia and Iraq during and after a conflict, a functioning penal system is critical to rebuilding the nation. In Iraq, as the U.S. led coalition work to rebuild their government, the need for a functioning penal system was a necessity for a well functioning society. The U.S. military has been working closely with the Iraqi government to rebuild that capability, but the lack of a single commander responsible for detention operations in Iraq has hampered the reconstruction and rebuilding efforts in regard to detention operations. With each service managing its own program, there is a significant gap in a critical capability for the combatant commander.

A functioning judicial system is necessary for any government, and has in it three critical components: law enforcement, courts, and a penal system. These three components cannot function independently but function as a system. They must each support the other to be effective. The law enforcement function must act to enforce the rule of law and when rules are broken the individuals must be detained. Once detained, the individual must be held safely until the courts decide on the disposition of the case and if convicted by the courts there must be facilities properly manned and resourced to confine the individuals for the duration of the sentence imposed by the court system. In order to maintain the rule of law each of these three components must be effective. Additionally, to support a combatant commander's campaign and the larger strategic objectives of the U.S. and to bring stability and security to allow a national government

to function independently, a viable judicial system must be in place and working to provide for safe and humane detention of personnel. This function is critical at both the operational and strategic levels to support the overall U.S. strategic objectives and the interests of the United States.

The lack of training at both the individual and leader levels was cited by the Taguba Report as a contributing factor that led to the criminal activities by U.S. personnel at the U.S. Army operated Abu Ghraib Prison in Baghdad, Iraq in 2003.²³ The incidents of detainee abuse that occurred at the prison had a tremendous negative effect at the strategic level on the United States' efforts in Iraq. The Taguba report also cited that the lack of a single responsible person contributed to the break down of operations at the detention facility. In a Joint Area of Operations someone must be in charge, but neither Army nor joint doctrine addressed the situation for a single person or organization to be in charge of detention operations at the facility. The U.S. Army doctrine and regulations that were used focused on Enemy Prisoners of War rather than criminals.²⁴ Only one Department of Defense directive mentioned "other detainees", and other U.S. Army doctrine was focused on United States Military Prison operations, not detaining foreign national prisoners in their own country or the detention of third country nationals operating in Iraq. This lack of a consolidated or joint effort failed the combatant commander. Without joint doctrine as a baseline for training, units assigned to these missions were forced to modify service doctrine and standards to the best of their ability to accomplish the mission assigned.

Joint Efforts

The Joint Detention Operations Group in Guantanamo Bay, Cuba is one example of a jointly manned confinement facility. This facility is considered a brigade level Army command, is manned by corrections specialist from the U.S. Navy and U.S. Army, and executes many aspects of the military corrections system. As a jointly manned facility, oversight is conducted by both the Army Corrections Command and the U.S. Navy Bureau of Personnel senior corrections subject matter experts. This oversight is accomplished through technical assistance visits by both U.S. Army and U.S. Navy corrections personnel. Each service evaluates the operation of the facility using their service's regulations and the American Correctional Association standards. The American Correctional Association is a civilian professional organization that has established 500 standards to evaluate the operations of a prison and is internationally accepted as the standard for evaluating prison operations²⁵. As a result of the two service's regulations and a civilian organization's standards being used for oversight, the facility commander adopts the best practices of the U.S. Army, U.S. Navy, and the American Correctional Association training standards and regulations in the daily operations of the facility.²⁶ This system of using three separate sets of standards complicates the training and manning of the guard force. The U.S. Army personnel are managed through the U.S. Army personnel system and they all have prior U.S. Army confinement facility experience. The U.S. Navy identifies individuals to be sent to GITMO and they are all sent to Biloxi, Mississippi to be formed into a unit. Once the unit is formed they are sent to Fort Lewis, Washington or Fort Dix, New Jersey for training. This training is conducted by a U.S. Army Training Support Battalion using a U.S. Army training support package developed by the U.S. Army Military Police School

since the U.S. Navy does not have an occupational skill code for corrections specialists. Only a single digit percentage of the U.S. Navy personnel have worked corrections prior to their initial corrections assignment.²⁷

The United States Disciplinary Barracks at Fort Leavenworth, Kansas is another jointly manned facility with all services contributing to its operations. The facility is commanded by an Army colonel and serves as the Department of Defense's only level three facility. As of December 2007, the United States Disciplinary Barracks held 424 inmates with twenty-seven serving a life sentence and six being held on death row. The average sentence length was approximately 19 years. It is manned by 328 military and 114 civilians, approximately 105 are from services other than the Army. Recently, the United States Disciplinary Barracks was tasked to deploy the Headquarters and Headquarters Detachment of the 705th Military Police Battalion with 60 corrections Soldiers to Iraq to support detention operation.²⁸

The Naval Consolidated Brig Miramar is considered a consolidated brig because it is also jointly manned with U.S. Navy, U.S. Army and U.S. Air Force personnel. In 1991 the U.S. Navy downsized as a result of the break up of the Soviet Union and went from 600 to 350 billets for corrections personnel. As a result of the drawdown, consolidation was needed. At approximately the same time, the U.S. Air Force underwent a similar downsizing, and in 1993 the U.S. Navy and the U.S. Air Force negotiated an agreement to consolidate level two staffs at the Miramar and Charleston brig. Early rounds of Base Realignment and Closure brought Marine forces to Miramar and with it Marine force structure to help operate the brig. Finally, the Department of Defense directed Miramar to confine level three females and that brought Army correctional specialists to

Miramar making it a jointly manned facility and operating with interservice agreements under U.S. Navy oversight.²⁹ The Consolidated Brig Charleston went through similar consolidation in 1993 with a U.S. Marine staff arriving in 2000, and today the facility is manned with 159 Sailors, 32 Airmen, 20 Marines and 5 Soldiers. The average inmate population by service is 43% U.S. Air Force, 34% U.S. Navy, 12% U.S. Marines, 10% U.S. Army and 1% U.S. Coast Guard.³⁰

The U.S. Army has a jointly manned confinement facility in Mannheim, Germany. At this facility, each service manages its personnel differently based on their respective manning priorities, and operates with interservice agreements. With three separate personnel systems in place tracking requirements and assigning new replacement personnel is a time consuming effort to coordinate with each service to maintain an adequate manning level. Due to the lack of support by the other services, the facility is never fully manned by any of the services. The impact is that the available personnel are locked onto 12 hour shifts for extended periods of time and impacts leaves that are closely managed to allow for training and to safely operate the facility. Extended 12 hour shifts in this unique environment, working in close proximity to inmates, is not the optimal course of action. The stress of these extended shifts and inherent stress of controlling and maintaining 100% accountability of the inmates has an adverse affect on the operations of the facility and takes a toll on the personnel. This stress can quickly manifest itself in low morale and increased incidents of indiscipline both on and off duty. Furthermore, when new U.S. Navy and U.S. Air Force personnel arrive, additional training is required to ensure each guard is at the same level of proficiency prior to assuming guard duties. This training, required before a new guard can begin working

inside the facility in close proximity to prisoners takes two weeks for U.S. Army personnel to be certified on facility specific tasks and three to four weeks for U.S. Naval and U.S. Air Force personnel to be certified on the common tasks not trained at their basic correction course plus the facility specific tasks. This additional training is resourced out of facility personnel with other duties inside the facility, thus taking them away from their normal duties for extended periods to plan, rehearse, and conduct multiple training classes each year as new personnel arrived. The manning authorization document is not designed or is the unit resourced to have a nearly full time training cadre. The establishment of joint training and doctrine would reduce this training requirement and allow for service members to perform guard duty inside the facility and not be taken away to develop and execute training for each of the services.

To date the only effort to make corrections a joint practice has been the services' adoption of American Correctional Association standards to accredit their facilities. The American Correctional Association shapes the future of corrections concepts embodied in its Declaration of Principles. For more than 125 years, the American Correctional Association has worked to set high standards of corrections and correctional effectiveness. Founded in 1870 as the National Prison Association, American Correctional Association is the oldest association developed specifically for practitioners in the correctional profession and is internationally accepted as the standard when it comes to corrections.³¹

In 1954 the American Correctional Association became internationally recognized as the industry leader in evaluation and accrediting prisons around the world. In order to establish and maintain excellence in corrections, the American Correctional

Association has established over 500 standards that a facility and its operations must meet to be accredited. This organization and its standards are accepted worldwide and seen as the authority on operating confinement facilities.³²

Today, the American Correctional Association has more than 20,000 active members, and accreditation by this organization is the standard for every Military Confinement Facility around the world.³³ Johnnie W. Jones, Warden Louisiana Correctional Institute for Women, St. Gabriel, Louisiana said it best when he said, "The primary advantage of being an accredited facility is the adoption of standards which result in clearly defined policies and procedures, ultimately enhancing consistency in operations. Accreditation provides an agency with credibility among its peers, law makers, the courts and the public."³⁴

Consolidation Case Studies

Prison operations is big business and extremely expensive and as a result of the associated costs consolidation seems to be becoming more and more accepted by agencies responsible for confinement operations. With inmate populations increasing and funding becoming more and more of an issue, everyone is looking to gain efficiencies and cost savings. The United States has the highest incarceration rate in the world. In December 2005 there were 2,193,798 people incarcerated in the United States, 4.1 million on probation, and another 800,000 on parole. The business of operating prisons and jails is a major budgetary expenditure. The industry is worth \$40 billion a year and many agencies are looking for ways to cut that cost while maintaining an effective corrections program.³⁵ The military is also facing the same issues and is affected by the cost of its confinement operations. For example the new United States

Disciplinary Barracks was opened in September 2002 with 504 cells and cost \$67.8 million and today a similar sized facility would cost more than \$100 million with is a 32% increase in 5 years.³⁶

Consolidation appears to be the accepted solution for many states and in 1967 the Washington State legislature passed the Interlocal Cooperation Act authorizing two or more agencies to enter into agreements for joint or cooperative action.³⁷ In 1989 the Washington State legislature adopted the Washington Intrastate Corrections Compact that permitted any county to enter into a compact with another county or the state Department of Corrections for the exchange of inmates. This legislation was intended to enable and encourage cooperative relationships between state and local counties to better provide adequate facilities and programs for confining inmates.³⁸ These cooperative relationships also allowed for better management of inmate bed space and therefore reduced capital expenditures at the state and county levels. These cooperative relationships were just the first step toward consolidation.

The state of Maine is considering consolidating its prisons and jails into a unified system consolidating all state and local facilities. The Governor has recommended this consolidation to save money and address the problem of overcrowding at state prisons where many inmates were forced to sleep on the floor. This consolidation option was developed after other states like Rhode Island, Massachusetts, Connecticut, and Vermont led the way and consolidated their state and county jails. New Hampshire is also looking at consolidating as well to address growing debt and tax concerns.³⁹

Analysis

The Goldwater-Nichols Department of Defense Reorganization Act of 1986 pushed for greater joint operations and caused major defense reorganization. This reorganization was the most significant since the National Security Act of 1947 and stated the most effective and efficient force must be joint.⁴⁰ Today, military corrections remain a long way from meeting this intent and are neither joint, effective or efficient. Most facilities are jointly manned, but only through various interservice agreements with service unique training and doctrine. Every aspect of military corrections and detention operations, administration, headquarters infrastructure, and budgeting is duplicated within each service.

This service centric approach defies the intent of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and is grossly inefficient. It also makes supporting combatant commanders extremely difficult. Without joint doctrine, training, and personnel management, support of operational requirements are extremely inefficient. Every action or request for forces must be staffed with each service and once approved for sourcing, U.S. Naval, U.S. Air Force, and U.S. Marine service members must plan and execute U.S. Army specific training to ensure they are all trained to the same level prior to deploying into a theater of operation. The sourcing, training, and deployment have a severe impact on the different services. With each service either running facilities or supporting interservice agreements to staff other services' facilities, the personnel management is overwhelming. Without joint doctrine, training and personnel management as a common baseline, Military Corrections will remain inefficient and unresponsive to the needs of combatant commanders and the Department of Defense as a whole. Without clear standards as a baseline, corrections

specialist from each service have different levels of training and core competencies. A joint approach would standardize training of personnel and the operations of all the facilities allowing for quicker deployment of forces without additional training before entering the theater of operations which must be done now.

On December 31, 2006 the military had 1,944 United States service members confined in its fifty-eight facilities worldwide. The U.S. Army was at 77% capacity and the other services were at 49% or less. The military wide capacity rate was only 51%.⁴¹ This system wide review of capacity shows that with each service managing its own program, they are unable to take advantage of one important aspect of consolidation, efficient bed space management. Should the Department of Defense consolidate all military confinement operations into a single command it would gain efficiencies in many areas. If the system is operating at 51% capacity, does the Department of Defense really need to maintain the infrastructure at the level the services have today? Also once bed space is centrally managed Department of Defense wide, additional efficiencies can be gained by matching personnel management to the bed space capacity by facilities. The ability of a single agency managing inmate population and assignment of personnel by facility would allow for greater flexibility in training, work schedules, and deployment support to combatant commanders.

In addition to personnel related efficiencies, the consolidation of the resource management function of all the services would allow for the prioritization of funding across the Department of Defense and assist in programming dollars during the Planning Programming, Budget and Execution process. This consolidation would also reduce manning requirements across the services and thereby reduce personnel

dollars. Once applied across the spectrum of functions of the services the simple elimination of redundant capabilities that currently reside in each service will drastically increase the savings. The 2005 BRAC estimated an annual recurring savings of \$14.6M to the Department of Defense after implementing its recommendations for realignment of correctional facilities.⁴² And this savings estimate did not take into account other possible savings associated with consolidation of all functions into one joint headquarters. That action alone would close three headquarters.

As the Department of Defense considers the impact of consolidated corrections and detention operations support to combatant commanders, a window of opportunity opens for the development and implementation of joint doctrine across the services allowing for greater flexibility in confinement facility and detention operations, and support to combatant commanders. With joint doctrine and joint training standards the effectiveness, responsiveness, and efficiency of military corrections will be dramatically improved. This common foundation of training and doctrine would reduce redundant training infrastructure and additional training once a service member arrives at a facility.

On the other side of the issue, two concerns surfaced. The first was the legal issue of service secretaries having the tasks associated with managing a corrections program directed in Department of Defense Directive 1325.04. This directive signed in August 2001 requires each secretary to issue regulations, establish policies, and provide related programs for the confinement, rehabilitation, clemency and parole of its military prisoners.⁴³ The second concern was simply the parochial attitudes of the services to protect roles and missions. In 1999, the Commandant of the U.S. Military Police School hosted a conference to look at consolidating all corrections training at

Fort Leonard Wood, Missouri. All the services were represented and after consideration, it was determined that consolidation would only be supported by the U.S. Army and the initiative was abandoned. Each of these issues could be easily overcome by rewriting the Department of Defense directive and by the services looking at consolidation with an open mind.

Recommendation

The Department of Defense should quickly act to establish one service as the executive agent for all military corrections to include detention operations. This executive agent should be empowered to lead every aspect of corrections (doctrine, training, programming, budgeting, and personnel management). The executive agent for corrections should review each service's current doctrine and the American Corrections Association standards to develop standardized joint doctrine and joint training requirements. Using the American Corrections Association standards as a base line and incorporating the best practices of each service's doctrine, training and policy would set conditions for a joint force capable of operating any facility whether it is a facility to confine U.S. service members in a U.S. facility or criminals or enemy combatants in combatant commanders' area of responsibility.

Additionally, a Department of Defense wide study should be conducted similar to the 1970 Special Civilian Committee for the study of the United States Army Confinement System. This committee should be charged to conduct a comprehensive analysis of military corrections, make recommendations to fully implement Goldwater-Nichols with respect to military corrections and detention operations, and identify efficiencies associated with total consolidation of the services' corrections programs to

include a joint headquarters for corrections in Washington, D.C. and the consolidation of training at a single location.

Endnotes

¹ David K. Hassenritter, "The Military Correctional System: An Overview," *Corrections Today* (December 2003): 58.

² U.S. Department of the Army, *The Special Civilian Committee for the study of the United States Army Confinement System*, (Washington, D.C.; U.S. Department of the Army, 15 May 1970), xv.

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